

Notice of Allowability	Application No.	Applicant(s)	
	09/937,576	REGT ET AL.	
	Examiner	Art Unit	
	Jason Prone	3724	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 17 November 2005.
2. ☒ The allowed claim(s) is/are 1-20.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

Please note box 5b on attached form PTO-37.

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Victor King on 03 February 2006.

The application has been amended as follows:

- On line 2 of claim 2, the phrase "to a gear wheel" has been replaced with --to a second gear wheel--.
- On replacement sheet 3/4 of the Figures, the term "FIG. 5" has been deleted (see page 6 of this Office action).
- On replacement sheet 4/4 of the Figures, the term "FIG. 6" has been deleted (see page 7 of this Office action).
- On page 3 of the response 11/17/05 (paragraph beginning at page 2 line 19), on line 8 the phrase "L-shaped parts 9, 9" " has been replaced with --L-shaped parts 9, 9'--.
- On page 4 of the response 11/17/05 (paragraph beginning at page 4 line 9), on line 1 the term "Fig. 5" has been replaced with --Figs. 5a-d--.
- On page 5 of the response 11/17/05 (paragraph beginning at page 4 line 31), on line 1 the term "Fig. 6" has been replaced with --Figs. 6a-d--.

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- On page 2 line 11 of the specification, the term "Fig. 5" has been replaced with --Figs. 5a-d--.
- On page 2 line 14 of the specification, the term "Fig. 6" has been replaced with --Figs. 6a-d--.
- The abstract has been replaced with:

--A device for dispensing adhesive tape or similar in strips is provided. The device is provided with at least one feed roller and a bending roller, which works together with the feed roller. A first toothed bar, which is connected to a lever and which drives the feed roller. A cutting element can be triggered by a second toothed bar which is connected to the lever using a first gear wheel. At least one of the toothed bars is also guided in a lower connecting link which is situated in the lower area of the housing and in an upper connecting link which is located on the lever in such a way that the toothed bar indirectly engages with the feed roller and the first gear wheel during the downward movement of the lever and disengages during the upward movement thereof.--

Allowable Subject Matter

2. Claims 1-20 are allowed.
3. The following is an examiner's statement of reasons for allowance: Claims 1-20 are allowable because of the apparatus with at least one folding roll, a first toothed rack on one side of the lever and a second toothed rack on the other side of the lever, and a cutting means activated by the second tooth rack via a first gear wheel as set forth in the claims. In regards to Palson et al., an apparatus is

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disclosed with only one toothed rack. In the case of Klaassen et al., an apparatus is disclosed with 2 toothed racks but specifically teaches a separation wall keeping the 2 toothed racks on the same side of the lever. None of the prior art cited discloses an apparatus that incorporates the use of at least one folding roll, a first toothed rack on one side of the lever and a second toothed rack on the other side of the lever, and a cutting means activated by the second tooth rack via a first gear wheel that advances, guides, and cuts a piece of adhesive tape. Therefore, in view of what has been stated above, the claims are allowable over the art of record.

4. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason Prone whose telephone number is (571) 272-4513. The examiner can normally be reached on 7:30-5:00, Mon - (every other) Fri.

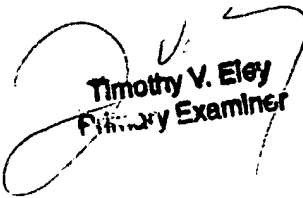
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Allan N. Shoap can be reached on (571) 272-4514. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



JP
February 03, 2006



Timothy V. Eley
Primary Examiner

REPLACEMENT SHEET

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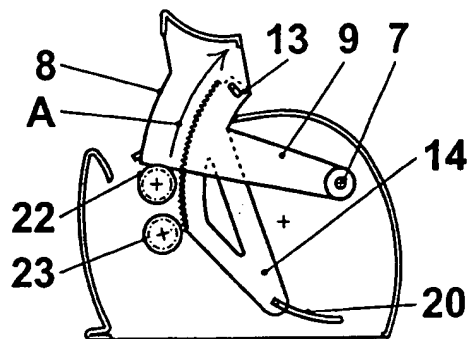


FIG. 5a

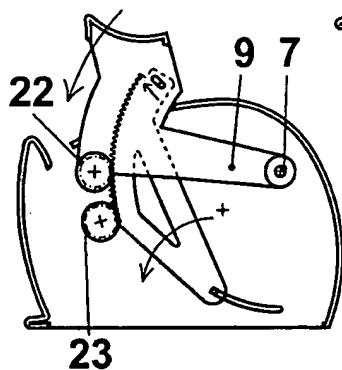


FIG. 5b

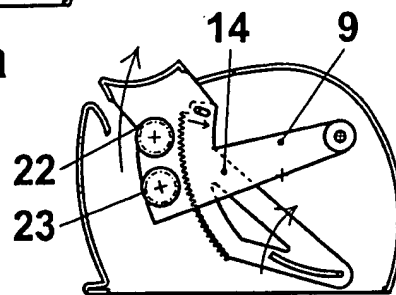


FIG. 5d

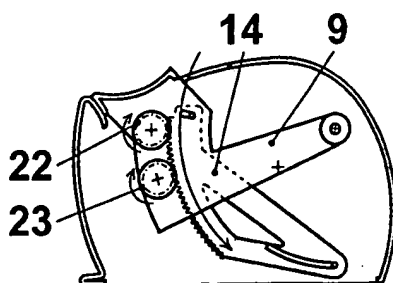


FIG. 5c

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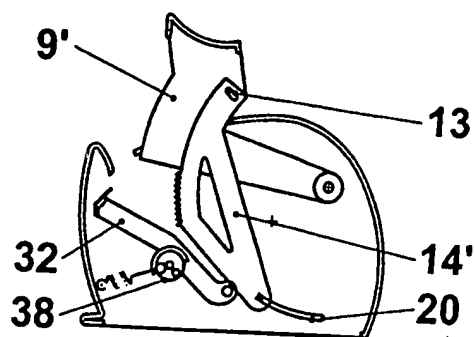


FIG. 6a

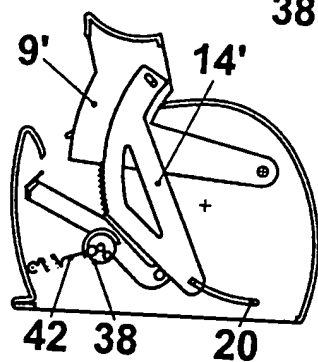


FIG. 6b

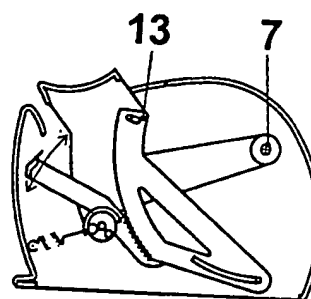


FIG. 6d

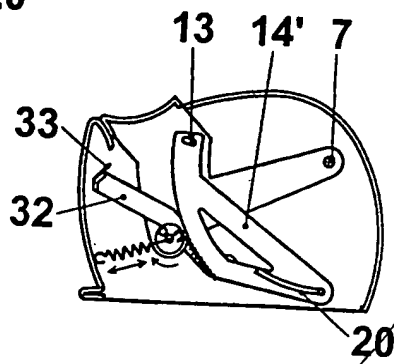


FIG. 6c